

SEXUAL HARASSMENT POLICY

RATIONALE

The Otumoetai Intermediate School Board of Trustees (Board) regards sexual harassment as a serious offence and it will not be tolerated within the school community.

Sexual harassment is offensive, unasked for behavior. Sexual harassment generally occurs when a person is subjected to unwelcome verbal or physical conduct of a sexual nature. It can include:

- Sex orientated jokes, cartoons, posters, pinups;
- Offensive questions, comments, abuse, leering;
- Unwanted, unnecessary, deliberate physical contact, touching, gestures;
- Unwanted questions and comments about private life;
- Requests for sexual favours implying promise of favourable treatment or threats of unfavourable treatment.

Sexual harassment can occur between:

- Individuals;
- Individual groups;
- Groups;
- Students;
- Students and adults;
- Adults.

Sexual harassment is serious and can be detrimental to one's work performance, to learning, job opportunities, as well as to self-esteem and reputation. All employees and students must be able to work in, learn in and be part of an environment that is free from sexual harassment.

Sexual harassment is not always easily specified as behavior acceptable to one employee may be totally unacceptable to another. Behavior, words and gestures can have different meanings in different cultures. What may be acceptable in one culture may not be in another.

The Board will ensure that all members of the school community are informed of the nature and implications of sexual harassment and will reduce the risk of its occurrence.

All complaints of sexual harassment will be taken seriously, investigated quickly, privately and fairly.

OBJECTIVES

1. All members of the school community are to be informed of the nature and implications of sexual harassment and will act to reduce the risk of its occurrence.

2. Awareness within the Otumoetai Intermediate School community through:

All employees	- staff meetings, induction and training;
Students	- teaching programme components (KOS health programmes, etc) - Class teacher support - Parental awareness
Caregivers	- Newsletters
Board	- Training

3. **Training Responsibility**

The training will be the responsibility of the designated contact people to co-ordinate/ liaise with senior management staff and other identified key people, eg union. (Induction, staff development and policy meetings to update staff, promote awareness and the knowledge of procedures set up for person support.) Training will occur on a two yearly cycle and be aligned with the “Keeping Ourselves Safe Programme”.

4. **Enquiries and Complaints of Sexual Harassment**

Anyone with an enquiry or a complaint about sexual harassment can approach or be referred to:

- The designated school contact people (the contact people will give information and, where appropriate, support the complainant in making a complaint).
- The Human Rights Commission.
- Delegated Union Representative

If there is no informal resolution, in consultation with the complainant the contact person contacted above will notify the Principal and the Board Chairperson. If a formal written complaint is received, the contact person in consultation with the complainant will refer the complaint either to:

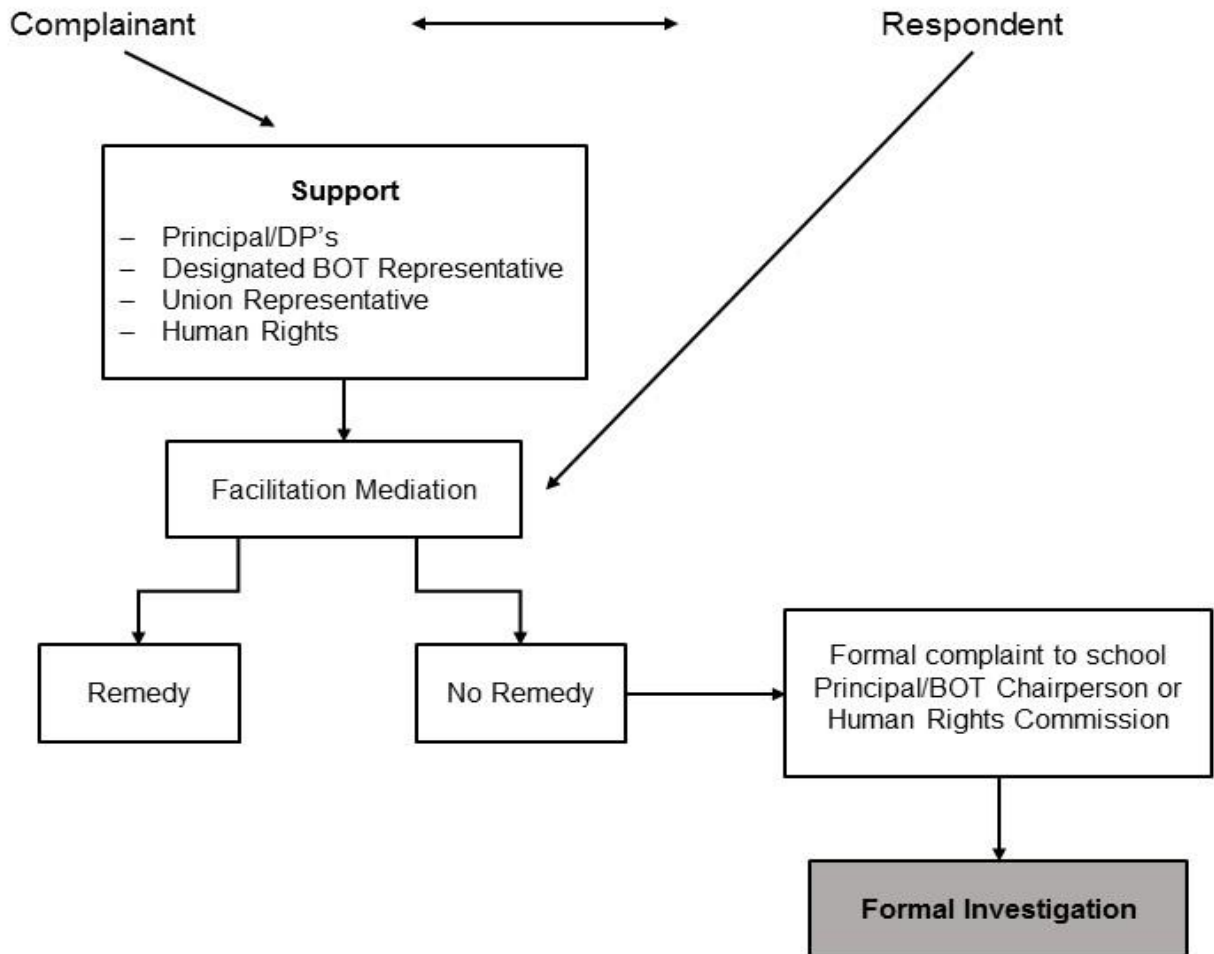
- The Board of Trustees;
- Mediation Services, NZEI; or
- The Human Rights Commission.

The complaint will be investigated by the body preferred by the complainant. **All complaints will be treated sensitively with complete confidentiality by the Board, the Principal and contact person.**

5. In all instances the Principal and Board Chair must be informed regarding instances of sexual harassment.
6. A written record must be kept by the school contact person for each case involving sexual harassment, noting:
 - Nature of inquiry/complaint;
 - Time and date of inquiry/complaint;
 - Action taken as a result of inquiry/complaint.

This written record is to be filed in the complainant's individual file if a student or personal file if a staff member.

SEXUAL HARASSMENT FLOW CHART



REFERENCES

- Legislation:** Human Rights Act 1993
 Employment Contracts Act 1991
 Crimes Act
 Education Act 1989 (Section 64 (i) (ii))
 National Education Guidelines (5(i)(ii), 2(ii))
 Privacy Act
- Support:** NZ Schools Trustees Association Advisor
 NZEI Field Officer

Refer Trustee Handbook Page 16, 502.